

IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

#4

International Application No. : PCT/DE99/01178
International Filing Date : 15 APRIL 1999
U.S. Serial No. : 09/673,400
Deposit Date U.S. Nat'l Phase : 17 OCTOBER 2000
Priority Date(s) Claimed : 17 APRIL 1998
Applicant(s) : SPECHT, Thomas, et al.
Title: HUMAN NUCLEIC ACID SEQUENCES OF UTERUS MYOMA TISSUE

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. § 371
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Commissioner for Patents
Box PCT
Washington, D.C. 20231

Sir:

In response to the Notification of Missing Requirements mailed October 27, 2000, attached is a Declaration and Power of Attorney for Patent Application which has been executed by the inventors, as well as a copy of the Notification.

The Surcharge of \$130.00 for providing the Declaration later than 30 months from the original priority date is attached.

Applicants also enclose herewith ten (10) sheets of drawings, properly translated, as required by the Notification of Missing Requirements, along with the \$130.00 fee for providing the translation later than 30 months from the original priority date.

Applicants request that the time for responding to this action be extended one (1) month to December 30, 2000. A check for the statutory fee of \$110 is enclosed.

12/29/2000 UEDUVIJE 00000018 09673400

01 FC:154	130.00 OP
02 FC:115	110.00 OP
03 FC:156	130.00 OP

The Patent and Trademark Office is authorized to deduct any additional fees from, or credit any overpayments to, counsel's deposit account No. 13-3402, a copy of this paper being attached.

Respectfully submitted,

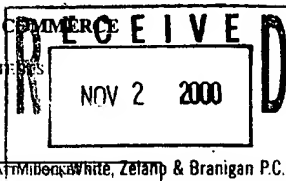


Anthony J. Zelano, Registration No. 27,969
Attorney for Applicants
MILLEN, WHITE, ZELANO & BRANIGAN, P.C.
Arlington Courthouse Plaza I
2200 Clarendon Boulevard, Suite 1400
Arlington, Virginia 22201
Direct Dial: 703-812-5311
Facsimile: 703-243-6410
Internet Address: zelano@mwzb.com

Filed: 27 DECEMBER 2000



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
 Address: ASSISTANT COMMISSIONER FOR PATENTS
 Box PCT
 Washington, D.C. 20231



U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTORNEY
09/673400	SPECHT	T
		SCH 1779

MILLEN WHITE ZELANO & BRANIGAN
 ARLINGTON COURTHOUSE PLAZA I
 2200 CLARENDON BOULEVARD SUITE 1400
 ARLINGTON, VA 22201

INTERNATIONAL APPLICATION NO.	
PCT/DE99/01178	
I.A. FILING DATE	PRIORITY DATE
15 APR 99	17 APR 98
DATE MAILED: 30 OCT 2000	

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
☒ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

- ☒ a non-English language.
☐ English.

☒ Translation of the international application into English.

☐ Oath or Declaration of inventors(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☐ The International Preliminary Examination Report in English and its Annexes, if any.

☐ Translation of Annexes to the International Preliminary Examination Report into English.

☒ Preliminary amendment(s) filed 10/17/00 and _____

☐ Information Disclosure Statement(s) filed _____ and _____

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed _____

☐ Verified Statement Claiming Small Entity Status.

☒ Priority Document.

☒ Copy of the International Search Report ☒ and copies of the references cited therein.

☒ Other: DNA DISKETTE, SEQUENCE LISTING

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

☒ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☒ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

☒ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed:

☐ PCT/DO/EO/917

☒ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Barbara A. Campbell

Telephone: 703-305-3631

COPY



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

U.S. APPLICATION NO.

ATTACHMENT TO FORM PCT/DO/EO

09/673400

NOTICE OF DEFECTIVE TRANSLATION

The received translation is defective because:

- ☒ (1) The text in the drawings has not been properly translated;
- ☐ (2) The number of claims in the International Application and the number of claims in the translation are not the same;
- ☐ (3) The translation of the International Application is incomplete as a number of pages are missing;
- ☐ (4) Other.

Barbara A. Campbell

Telephone: 703-305-3631